



XPS
PATENT

Attorney Docket No.: AVALUC-00301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Connie Blackburn *et al.*
Serial No.: 09/512,838
Filed: February 25, 2000
For: A SYSTEM AND METHOD OF
BILLING A PREDETERMINED
TELEPHONE LINE FOR SERVICE
UTILIZED BY A CALLING PARTY

} Art Unit: 2643
} Examiner: Tran, Q.
} TRANSMITTAL LETTER
} 162 North Wolfe Road
} Sunnyvale, California 94086
} (408) 530-9700

Customer Number 28960

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OCT 21 2004

Technology Center 2600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed please find Notice Of Appeal including a three month extension of time for filing with the U.S. Patent and Trademark Office. A check in the amount of \$1,320.00 (\$340.00 to cover the fee for filing a notice of appeal, per 37 C.F.R. § 1.17(b) plus \$980.00 to cover the three month extension of time). Also enclosed is a copy of the Petition for Refund of Paid 3 Month Extension of Time Fee (37 C.F.R. § 1.181) as filed October 15, 2004.

The Commissioner is authorized to charge any additional fee or credit any overpayment to our Deposit Account No. 08-1275. An originally executed duplicate of this transmittal is enclosed for this purpose.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

By: Thomas B. Haverstock
Thomas B. Haverstock
Reg. No.: 32,571

Attorneys for Applicants

CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP.

Date: 10-15-04 *[Signature]*

- 1 -

Refund Ref: SDIRETA1 0000140551 *M.E.*

CHECK Refund Total: \$980.00



PATENT
Attorney Docket No.: AVALUC-00301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 2643
Connie Blackburn *et al.*) Examiner: Tran, Q.
Serial No.: 09/512,838)
Filed: February 25, 2000) **PETITION FOR REFUND OF PAID 3**
For: **A SYSTEM AND METHOD OF**) **MONTH EXTENSION OF TIME FEE**
BILLING A PREDETERMINED) **(37 C.F.R. § 1.181)**
TELEPHONE LINE FOR SERVICE)
UTILIZED BY A CALLING PARTY)
Customer No.: 28960

MS: Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions for refund of three month extension of time fee for the following reasons:

1. The Office mailed a Final Office Action on April 16, 2004. Within the Final Office Action, a shortened statutory period for reply was set to expire 3 months from the mailing date.
2. Applicant filed an Amendment and Response to Final Office Action on June 1, 2004, which was within the 2 month time frame for receiving an Advisory Action from the Office. Exhibit A includes a copy of the Certificate of Mailing showing the mailing date to be June 1, 2004. Exhibit B includes a copy of the return receipt postcard showing that the Office received the Applicant's Amendment and Response to Final Office Action on June 3, 2004.
3. The Applicant has spoken with the Examiner via telephone and requested the current status of the Advisory Action, the current status of the Application, and the current

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disposition of the claims, in light of the pending 6 month statutory period for reply. As of October 15, 2004, the current status of the Advisory Action, the current status of the Application, and the current disposition of the claims remains unknown.

4. To reply within the 6 months maximum statutory period for reply and to avoid abandonment of the application, on October 15, 2004, the Applicant filed a Notice of Appeal and paid the 3 month extension of time fee, \$980.00.
5. The Applicant requests a refund of the paid 3 month extension of time fee, \$980.00, as it is due to the lack of an Advisory Action from the Office that delayed a reply from the Applicant beyond the 3 month shortened statutory period for reply.

Dated: 10-15-04

By: Thomas B. Haverstock

Thomas B. Haverstock
Reg. No.: 32,571
Attorneys for Applicant

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HAVERSTOCK & OWENS LLP.

Date: 10-15-04 By: John J. Rosen



PATENT

Attorney Docket No.: AVALUC-00301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Connie Blackburn et al.

Serial No.: 09/512 838

Filed: February 25, 2000

For: A SYSTEM AND METHOD OF
BILLING A PREDETERMINED
TELEPHONE LINE FOR SERVICE
UTILIZED BY A CALLING PARTY

) Group Art Unit: 2643

) Examiner: Tran, Q.

TRANSMITTAL LETTER

) 162 North Wolfe Road

) Sunnyvale, California 94086

) (408) 530-9700

Customer Number 28960

MS: Non-Fee Amendment

**Non-Fee Amendment
Commissioner for Patents**

Commissioner
P.O. Box 1450

P.O. Box 1450
Alexandria, VA 22313-1450

Sir.

Enclosed please find an Amendment and Response to the Final Office Action mailed on April 16, 2004 for filing with the U.S. Patent and Trademark Office.

The Commissioner is authorized to charge any additional fee or credit any overpayment to our Deposit Account No. 08-1275. An originally executed duplicate of this transmittal is enclosed for this purpose.

Respectfully submitted,

HAVERSTOCK & OWENS LLP

Dated: June 1, 2004

By: _____

Thomas B. Haverstock
Reg. No.: 32,571

Attorneys for Applicants

CERTIFICATE OF MAILING (37 CFR § 1.8(a))
I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

- 1 -



Serial No.: 05/12,838

H&O File No.: AVALUC-00301 By: TBH
COS

In the Matter of The Application of: Connie Blackburn et al.

Date Mailed: 6-1-04

Due Date: 7-16-04

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

- Design Patent Application _____ Pages Form PTO-1533 (Not. of Missing Parts)
 Utility Patent Application _____ Pages Form PTO-873 (Issue Fee Trans.) & dup.
 Prov. Patent Application _____ Pages Form PTO-1054 (Cert. of Correction)
 Declaration/Oath _____
 Power of Attorney _____
 Assignment _____
 Form PTO-1595-1595 _____
 Army Statement _____
 Drawings: _____ Sheets(s)
 Form _____
 Information Disclosure Statement _____
 Form PTO-1449 and Continuation of _____
 References Cited hereto or herereon
 Information Disclosure Certification
 Answer/Agent/Response _____
 Extension of Time Request: _____ Months _____
 Petition _____
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 Certificate of Express Mailing
Label No.: _____
 Check(s): \$ _____
 Deposit Account Authorization Form

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 2643
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UTILIZED BY A CALLING PARTY**)
MS: Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed please find a Petition for Refund of Paid 3 Month Extension of Time Fee including Exhibit A and Exhibit B for filing with the U.S. Patent and Trademark Office.

The Commissioner is authorized to charge any additional fee or credit any overpayment to our Deposit Account No. 08-1275. An originally executed duplicate of this transmittal is enclosed for this purpose.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: October 15, 2004

By: Thomas B. Haverstock
Thomas B. Haverstock
Reg. No.: 32,571

Attorneys for Applicants

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP.

Date: 10-15-04 *John D. Ryan*